

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JOSEPH ROCHA :
:
v. : C.A. No. 09-586S
:
PETER PAN BUS LINES, INC. :
:

MEMORANDUM AND ORDER

In this matter, Plaintiff Joseph Rocha filed an Application to Proceed Without Prepayment of Fees and Affidavit on December 4, 2009 (the “Application”). (Document No. 2). The Application has been referred to me for determination. 28 U.S.C. § 636(b)(1)(A); LR CV 72(a). In the Application, Rocha indicated that he is currently employed part-time by Viking Motor Tours, but that he also collects partial unemployment benefits. Rocha also indicated that he has \$100.00 cash in a checking or savings account, that he owns three automobiles and that he has one dependent. Plaintiff, however, did not indicate the amount of his take-home salary or wages, or the amount of unemployment benefits that he receives. He also gave no description of the automobiles that he owns, or their value. In order to determine whether he qualifies for pauper status, the Court needs more information about Rocha’s assets, income and monthly expenses, including housing expenses. The Court recently revised the Application used to determine whether a plaintiff is entitled to pauper status. The revised Application contains questions which will aid the Court’s assessment of Plaintiff’s pauper status. The Clerk shall forward the Application (AO Form 240) to Rocha for his use in responding to this Order. Plaintiff is ordered to supplement his Affidavit by providing full and complete answers to each question contained in the revised Application.

This Court cannot determine whether Rocha qualifies to have his Application granted in this case until the additional information requested is received. Rocha must file the proper information by **December 31, 2009** or risk having his Application denied and this matter dismissed.

SO ORDERED

ENTER:

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
December 8, 2009

BY ORDER:

/s/ Jeannine Noel
Deputy Clerk